

COURT UNITED STATES DISTRICT COURT
COUNTY OF SOUTHERN DISTRICT OF NEW YORK
SYNOVICS PHARMACEUTICALS, INC.

Index No. 08 CV 5861

**AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)**

IN A CIVIL ACTION, CIVIL COVER
SHEET, RULE 7.1 DISCLOSURE
STATEMENT, INDIVIDUAL RULES OF
PRACTICE HON. JED S. RAKOFF,
ELECTRONIC CASE FILING RULES & INSTRUCTIONS

against
NIRMAL MULYE AND NOSTRUM PHARMACEUTICALS, INC.

Plaintiff(s)

Defendant(s)

STATE OF NEW YORK, COUNTY OF NEW YORK SS: The undersigned, being duly sworn, deposes and says; deponent is not a
party herein, is over 18 years of age and resides at NORTH BRUNSWICK, NEW JERSEY
That on 7/9/08 at 2:15 P.M., at 505 THORNALL STREET, EDISON, NEW JERSEY - SUITE 304
deponent served the within summons, and complaint on defendant therein named,
SEE ABOVE STATED DOCUMENTS NOSTRUM PHARMACEUTICALS, INC.

INDIVIDUAL

1. ☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as
said defendant therein.

CORPORATION

2. ☒

a DOMESTIC corporation, by delivering thereat a true copy of each to JULIETTE EVERHARD
personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and
knew said individual to be MANAGING AGENT thereof.

SUITABLE AGE PERSON

3. ☐

by delivering thereat a true copy of each to a person of suitable age
and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

AFFIXING TO DOOR, ETC.

4. ☐

by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—
usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age
and discretion thereat, having called there

MAILING TO
RESIDENCE
USE WITH 3 OR 45A. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to
defendant at defendant's last known residence, at and deposited

MAILING TO
BUSINESS
USE WITH 3 OR 45B. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly
addressed to defendant at defendant's actual place of business, at
in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore
the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the
communication was from an attorney or concerned an action against the defendant.

DESCRIPTION
USE WITH
1, 2, OR 3☒

<input type="checkbox"/> Male	<input type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input checked="" type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input checked="" type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input checked="" type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input checked="" type="checkbox"/> 36-50 Yrs.	<input checked="" type="checkbox"/> 5'4"-5'8"	<input checked="" type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN
NYC CIVIL CT.☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional
legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY
SERVICE☐

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any
capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of
my information and the grounds of my belief are the conversations and observations above narrated. Upon information and
belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either
the State or in the Federal statutes.

HE YI WENG

Notary Public, State of New York

No. 01WE6178606

Qualified in Kings County

Commission Expires Dec. 03, 2011

PRINT NAME BELOW SIGNATURE

ADRIANO GINES

License No. 845419

Sworn to before me on
7/10/08

INSTRUCTIONS: Check appropriate boxes and fill in blanks. Delete inappropriate italicized language and military service allegation if not applicable.

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COUNTY OF SOUTHERN DISTRICT OF NEW YORK
SYNOVICS PHARMACEUTICALS, INC.

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against
NIRMAL MULYE AND NOSTRUM PHARMACEUTICALS, INC.

Plaintiff(s)

Defendant(s)

STATE OF NEW YORK, COUNTY OF NEW YORK SS: The undersigned, being duly sworn, deposes and says; deponent is not a
party herein, is over 18 years of age and resides at NORTH BRUNSWICK, NEW JERSEY
That on 7/9/08 at 2:15 P.M., at 505 THORNALL STREET, EDISON, NEW JERSEY - SUITE 304
deponent served the within summons, and complaint on NIRMAL MULYE defendant therein named,
SEE ABOVE STATED DOCUMENTS

- INDIVIDUAL
1. ☐ by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as
said defendant therein.
- CORPORATION
2. ☐ a corporation, by delivering thereat a true copy of each to
personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and
knew said individual to be thereof.
- SUITABLE AGE PERSON
3. ☒ by delivering thereat a true copy of each to JULIETTE EVERHARD (CO-WORKER) a person of suitable age
and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.
- AFFIXING TO DOOR, ETC.
4. ☐ by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—
usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age
and discretion thereat, having called there
- MAILED ON 7/9/08

C/O NOSTRUM PHARMACEUTICALS, INC.

MAILING TO
RESIDENCE
USE WITH 3 OR 4

5A. ☐

MAILING TO
BUSINESS
USE WITH 3 OR 4

5B. ☒

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to
defendant at defendant's last known residence, at and deposited
said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly
addressed to defendant at defendant's actual place of business, at 505 THORNALL STREET, SUITE 304
EDISON, NEW JERSEY 08857
in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore
the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the
communication was from an attorney or concerned an action against the defendant.

DESCRIPTION
USE WITH
1, 2, OR 3

☒

<input type="checkbox"/> Male	<input type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input checked="" type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input checked="" type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input checked="" type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input checked="" type="checkbox"/> 36-50 Yrs.	<input checked="" type="checkbox"/> 5'4"-5'8"	<input checked="" type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN
NYC CIVIL CT.

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legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY
SERVICE

☒

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any
capacity whatever and received a negative reply. ~~Recipient was not in active military service of the United States or of the State of New York in any~~
The source of
my information and the grounds of my belief are the conversations and observations above narrated. Upon information and
belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either
the State or in the Federal statutes.

Sworn to before me on
7/10/08

HE YI WENG
Notary Public, State of New York
No. 01WE6178606
Qualified in Kings County
Commission Expires Dec. 03, 2011

PRINT NAME BENEATH SIGNATURE

ADRIANO GINES

License No. 845419



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Defendant(s)

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party herein, is over 18 years of age and resides at NORTH BRUNSWICK, NEW JERSEY
That on 7/9/08 at 8:35 PM., at 10 ERIN COURT, KENDALL PARK, NEW JERSEY
deponent served the within summons, and complaint on defendant therein named,
SEE ABOVE STATED DOCUMENTS NIRMAL MULYE

INDIVIDUAL 1. ☒ by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as
said defendant therein.
CORPORATION 2. ☐ a corporation, by delivering thereat a true copy of each to
personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and
knew said individual to be thereof.
SUITABLE AGE PERSON 3. ☐ by delivering thereat a true copy of each to a person of suitable age
and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.
AFFIXING TO DOOR, ETC. 4. ☐ by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—
usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age
and discretion thereat, having called there

MAILING TO
RESIDENCE
USE WITH 3 OR 45A. ☐MAILING TO
BUSINESS
USE WITH 3 OR 45B. ☐DESCRIPTION
USE WITH
1, 2, OR 3☒

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to
defendant at defendant's last known residence, at and deposited
said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.
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capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of
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belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either
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Commission Expires Dec. 03, 2011

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